

In response to the Office action dated March 3, 2009,  
please amend the above-identified application as follows:

#### **IN THE CLAIMS**

1. (Previously Presented) A convertible (1) comprising an automobile body and a roof with a rear roof part (3), which extends at least between a belt line (L) and an upper roof part (7) located above a passenger compartment and which comprises a middle roof section (5) that encloses a rear window (6), the middle section (5) being located between lateral main posts (4) of the automobile body when the roof is closed, wherein the middle roof section (5) rotationally connected with both the automobile body (20) and the upper roof part (7), and wherein the roof (2) does not have a guide rod in front of the main posts (4).

2. (Previously Presented) A convertible (1) in accordance with Claim 1, wherein the main posts (4), and the middle section

(5) are each rotationally connected both with the automobile body (20) and with the upper roof part (7).

3. (Previously Presented) A convertible (1) comprising an automobile body and a roof with a rear roof part (3), which extends at least between a belt line (L) and an upper roof part (7) located above a passenger compartment and which comprises a middle roof section (5) that encloses a rear window (6)[,] the middle section (5) being located between lateral main posts (4) of the automobile body when the roof is closed, wherein the roof (2) can be moved by means of an articulated parallelogram attached to the rear roof part (3) wherein the main posts (4) and the middle section (5), form parts of the articulated parallelogram.

4. (Canceled)

5. (Previously Presented) Convertible in accordance with Claim 1, wherein the roof (2) comprises exactly one upper roof part (7) which is rigid.

6. (Previously Presented) Convertible in accordance with Claim 1, wherein the middle section (5) and the main posts (4) are connected with each other by a coupling element (23) that synchronizes their pivoting movements.

7. (Previously Presented) Convertible in accordance with Claim 6, wherein the articulation (11) of the middle section (5) on the automobile body (20) and the articulation (12) of the middle section (5) on the upper roof part (7) are each situated above planes of articulating (9; 10) to the main post (4).

8. (Previously Presented) Convertible in accordance with Claim 7, wherein in an open state, the rear window (6) is held above the main posts (4).

9. (Previously Presented) Convertible in accordance with Claim 1, wherein the middle section (5) is formed as a rear window (6) essentially over its entire height.

10. (Currently Amended) ~~Convertible in accordance with Claim 1,~~ A convertible (1) comprising an automobile body and a

roof with a rear roof part (3), which extends at least between a belt line (L) and an upper roof part (7) located above a passenger compartment and which comprises a middle roof section (5) that encloses a rear window (6), the middle section (5) being located between lateral main posts (4) of the automobile body when the roof is closed, wherein the middle roof section (5) rotationally connected with both the automobile body (20) and the upper roof part (7), and wherein the roof (2) does not have a guide rod in front of the main posts (4), further comprising a panel (13), wherein the upper roof part (7) has lateral guides (16; 17), wherein the panel (13) is supported in the lateral guides in such a way that the panel can be moved longitudinally.

11. (Previously Presented) Convertible in accordance with Claim 10, wherein the rear roof part (3) has additional lateral guides (17) for the panel (13), which follow the guides (16) of the upper roof part (7), and wherein the panel (13) engages both the lateral guides (16) of the front roof part (16) and the additional guides (17) of the rear roof part (3).

12. (Previously Presented) Convertible in accordance with Claim 1, wherein the roof (2) can be moved essentially horizontally between a closed position, in which the upper roof part (7) is supported indirectly or directly on a windshield frame (8), and an intermediate position, in which the mounting connection between the roof (2) and a windshield frame (8) is released.

13. (Cancelled)